UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

MARK H., individually and as Guardians Ad Litem of Michelle H. and Natalie H., minors,

Plaintiff - Appellant,

v.

RIE H., individually and as Guardians Ad Litem of Michelle H. and Natalie H., minors,

Plaintiff - Appellant,

PAUL LEMAHIEU, in his official capacity as superintendent of the Hawaii Public Schools; et al.,

Defendants - Appellees.

No. 05-16236 D.C. No. CV-00-00282-MLR

JUDGMENT

FILED IN THE UNITED STATES DISTRICT COURT DISTRICT OF HAWAII

FEB 11 2008

at / Yolock and / min, / A. Sue Beitia, Clerk

Appeal from the United States District Court for the District of Hawaii (Honolulu).

This cause came on to be heard on the Transcript of the Record from the United States District Court for the District of Hawaii (Honolulu) and was duly submitted.

On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said District Court in this cause be, and hereby is **REVERSED**, **REMANDED**.

Filed and entered 01/17/08

A TRUE COPY CATHY A CATTERSON Clerk of Court ATTEST

Fils & 8 2008

by //